



MAIL STOP - ISSUE FEE
Attorney Docket No.: 27137U
Date: July 27, 2006

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

SENN-BILFINGER

Application No.: 10/783,512

Filed: February 23, 2004

Title: **TETRAHYDROPYRIDOETHERS**

Art Unit: 1625

Examiner: Rahmani, N.

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

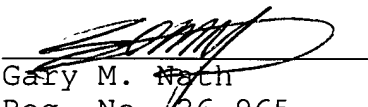
Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

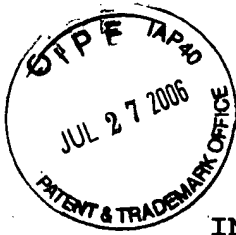
- 1) Part B-Issue Fee Transmittal;
- 2) Comments on Statement of Reasons for Allowance;
- 3) Check No.: 2531 in the Amount of \$ 1,709.00 for Issue (\$1400), Publication (\$300), and Advanced Ordered Copies (\$9) Fee Payments as a **Large Entity**.

The Commissioner is hereby authorized to charge any deficiency or credit any excess to Deposit Account No. 14-0112.

Respectfully submitted,
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Attorney Docket No. 27137U

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

SENN-BILFINGER

Serial No. 10/783,512

Group Art Unit: 1625

Filed: February 23, 2004

Examiner: RAHMANI, N.

For: **TETRAHYDROPYRIDOETHERS**

COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
Washington, D.C. 20231

Sir:

These comments are in response to the Examiner's statements on Reasons for Allowance dated April 27, 2006.

REMARKS

The Examiner indicated in her Reasons for Allowance dated April 27, 2006 that "[t]he closest prior art is Wolfgang-Alexander et al. of WO 96/03404. The prior art of record teaches that the similar compound having two fused rings instead of three fused rings in the instant application having the same activity." Applicant respectfully notes, however, that WO 96/03404 has yet to be cited or otherwise considered by the Examiner of the captioned application.

Applicant respectfully points out to the Examiner that the closest art to the presently claimed invention appears to be WO

98/42707, WO 95/027714 and US Patent No. 4,468,400, each of which were filed in an Information Disclosure Statement in the captioned application on February 23, 2004.

CONCLUSION

Accordingly, applicant disagrees with the Examiner's position that "WO 96/03404 is the closest art of record" to the presently allowed claims.

The Examiner is welcomed to telephone the undersigned attorney if she has any questions or comments.

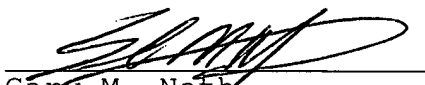
Respectfully submitted,

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Date: July 27, 2006

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